

SIXTH DAY

(January 26, 1965)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

A quorum was announced present.

The Reverend Mark B. Williams of Saint John's Methodist Church of Lubbock delivered the invocation as follows:

Our Eternal Father, as the members of the Senate bow in prayer, our minds and hearts unite in asking Thy blessing upon this Thy servant, who in his renewed responsibility, presides over this body.

We offer Thee our gratitude for his many years of selfless public service, for the testimony of his life, and for the inspiration of his example.

Grant that we shall never permit him to feel isolated in his chair, but ask Thy hand to touch him and Thy voice to speak to him.

When conflicts in deliberations come, grant that Thy servants of the Senate may never question each other's motives, but be more eager to understand than to be understood.

We ask this in His Holy name. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Message From the House

Hall of the House of Representatives,
Austin, Texas
January 26, 1965

Hon. Preston Smith, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 5, In memory of Robert Lee Thornton.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

(President Pro Tempore in the Chair.)

Senate Resolution 23

Senator Blanchard offered the following resolution:

Whereas, It is the desire of the Texas Senate to recognize and honor the outstanding citizens of the State of Texas; and

Whereas, Mr. and Mrs. Albert McGuire of Gaines County, Texas, have been selected by their friends and neighbors as the outstanding farm family in Gaines County, Texas, for the year 1964; and

Whereas, Mr. and Mrs. Albert McGuire are particularly noted for their service to Gaines County as outstanding leaders in the church, as well as work in many civic and farm organizations; and

Whereas, Mrs. Florene McGuire Bacon and Perry McGuire, the daughter and son of our distinguished honoree, were raised in Gaines County, Texas; and

Whereas, The citizens of Gaines County recently presented a trophy to Mr. and Mrs. McGuire at the annual Seminole Area Chamber of Commerce banquet; and

Whereas, Mrs. McGuire is known to Texans as the sister of The Honorable Preston Smith, Lieutenant Governor of the State of Texas; now, therefore be it

Resolved, That the members of the Senate of the Fifty-Ninth Legislature extend their heartiest congratulations and good wishes to this deserving couple and to their fine children; and, be it further

Resolved, That a copy of this Resolution be sent to Mr. and Mrs. Albert McGuire as a token of pride and admiration.

BLANCHARD

Signed—Tom Creighton, President Pro Tempore; Aikin, Bates, Calhoun,

Cole, Colson, Crump, Dies, Hall, Har-
deman, Harrington, Hazlewood, Her-
ring, Hightower, Kazen, Kennard,
Krueger, Moore, Parkhouse, Patman,
Ratliff, Reagan, Richter, Rogers,
Schwartz, Snelson, Spears, Strong,
Watson, Word.

The resolution was read.

On motion of Senator Parkhouse
and by unanimous consent the names
of the President Pro Tempore and
Senators were added to the resolution
as signers thereof.

The resolution was then adopted.

Senator Blanchard by unanimous
consent presented Mr. and Mrs. Mc-
Guire to the Members of the Senate.

**Presentation of Families and Guests
of Lieutenant Governor and Mrs.
Preston Smith**

Senator Blanchard by unanimous
consent presented the families and
guests of Lieutenant Governor and
Mrs. Preston Smith as guests of the
Senate today.

Presentation of Guests

Senator Hightower by unanimous
consent presented former Senator
George Moffett of Chillicothe and his
charming wife, Ruth as guests of the
Senate today.

Presentation of Guests

Senator Blanchard by unanimous
consent presented his wife Mary and
the other members of his family as
guests of the Senate today. He then
presented all guests from Lubbock
County to the Members of the Sen-
ate.

Reports of Standing Committees

Senator Hazlewood submitted the
following reports:

Austin, Texas,
January 26, 1965.

Hon. Preston Smith, President of the
Senate.

Sir: We, your Committee on State
Affairs, to which was referred S. B.
No. 5, have had the same under con-
sideration, and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass and
be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
January 26, 1965.

Hon. Preston Smith, President of the
Senate.

Sir: We, your Committee on State
Affairs, to which was referred S. B.
No. 13, have had the same under con-
sideration, and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass and
be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
January 26, 1965.

Hon. Preston Smith, President of the
Senate.

Sir: We, your Committee on State
Affairs, to which was referred S. B.
No. 47, have had the same under con-
sideration, and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass and
be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
January 26, 1965.

Hon. Preston Smith, President of the
Senate.

Sir: We, your Committee on State
Affairs, to which was referred S. B.
No. 66, have had the same under con-
sideration, and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass and
be printed.

HAZLEWOOD, Chairman.

Senator Ratliff submitted the fol-
lowing reports:

Austin, Texas,
January 26, 1965.

Hon. Preston Smith, President of the
Senate.

Sir: We your Committee on Coun-
ties, Cities and Towns, to which was
referred S. B. No. 64, have had the
same under consideration, and I am
instructed to report it back to the
Senate with the recommendation that
it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
January 26, 1965.

Hon. Preston Smith, President of the
Senate.

Sir: We, your Committee on Coun-
ties, Cities and Towns, to which was
referred S. B. No. 65, have had the
same under consideration, and I am

instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
January 26, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We your Committee on Counties, Cities and Towns, to which was referred S. B. No. 85, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Senate Resolution 31

Senator Reagan offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mr. and Mrs. Woody Jones, Mr. and Mrs. John Reagan (his brother), Mrs. C. E. Buck of Corpus Christi and my wife Bobby, and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Reagan by unanimous consent presented the distinguished guests to the Members of the Senate.

Senate Bill 65 Ordered Not Printed

On motion of Senator Hightower and by unanimous consent S. B. No. 65 was ordered not printed.

Presentation of Guest

Senator Aikin by unanimous consent presented Mrs. C. M. Mitchell, the mother of Lieutenant Governor Smith, to the Members of the Senate.

Senate Bill 85 Ordered Not Printed

On motion of Senator Calhoun and by unanimous consent S. B. No. 85 was ordered not printed.

Senate Bill 66 Ordered Not Printed

On motion of Senator Crump and

by unanimous consent S. B. No. 66 was ordered not printed.

Senate Bills on First Reading

The following bills were introduced, read first time and referred to the Committee indicated:

By Senator Herring:

S. B. No. 95, A bill to be entitled "An Act amending Chapter 156, Acts of the 40th Legislature, Regular Session, 1927, as amended (codified as Article 200a, V.T.C.S.), by amending Section 2 thereof so as to provide for the appointment of retired judges as presiding judges of the administrative judicial districts as well as regular judges, in the discretion of the Governor, and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Blanchard:

S. B. No. 96, A bill to be entitled "An Act requiring annual reports from charitable trusts and foundations; defining charitable trusts, foundations, and public charity; providing for the Attorney General to have access to their books and records; providing for employment of examiners and other personnel by the Attorney General to supervise charitable trusts and foundations and for per diem payment by foundation or trust examined to cover part of the cost of supervision, examination and inspection; providing penalty after notice for directors, officers or trustees and for trusts and foundations failing to comply with requirements of this Act; exempting certain non-profit corporations; providing for the removal, disqualification or suspension of directors, officers, members or trustees by District Court for cause and providing for appointment of successors for officers, directors and trustees so removed, disqualified or suspended; fixing venue; providing a saving clause; enacting other provisions related to the subject; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Hall:

S. B. No. 97, A bill to be entitled "An Act relating to the licensing of Truth Examiners creating a Truth Examiners Board, granting certain powers to the Truth Examiners Board of the State of Texas, establishing minimum instrumentation requirements, and declaring an emergency."

To the Committee on State Affairs.

Senate Bill 66 on Second Reading

Senator Crump moved that Senate Rules 116, 13, and 38 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 66 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

Absent

Rogers

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 66, A bill to be entitled "An Act authorizing the Texas Library and Historical Commission to adopt a state plan for public library services and for public library construction and to cooperate with the federal government in implementing the state plan; amending Article 5436, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 66 on Third Reading

Senator Crump moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 66 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Blanchard
Bates	Calhoun

Cole	Krueger
Colson	Moore
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Hall	Reagan
Hardeman	Richter
Harrington	Schwartz
Hazlewood	Snelson
Herring	Spears
Hightower	Strong
Kazen	Watson
Kennard	Word

Absent

Rogers

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

Absent

Rogers

Senate Bill 65 on Second Reading

Senator Hightower moved that Senate Rules 116, 13, and 38 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 65 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Crump
Bates	Dies
Blanchard	Hall
Calhoun	Hardeman
Cole	Harrington
Colson	Hazlewood
Creighton	Herring

Hightower	Reagan
Kazen	Richter
Kennard	Schwartz
Krueger	Snelson
Moore	Spears
Parkhouse	Strong
Patman	Watson
Ratliff	Word

Absent

Rogers

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 65, A bill to be entitled "An Act providing for the creation of a county-wide hospital district in Wilbarger County; providing for an election in the county to create a county-wide hospital district, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 65 on Third Reading

Senator Hightower moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 65 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

Absent

Rogers

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

Absent

Rogers

Senate Concurrent Resolution 13

Senator Schwartz offered the following resolution:

S. C. R. No. 13, Commending Mr. and Mrs. William L. Moody for creation of a Foundation for the perpetual benefit of Texans in creation of Regional and Diagnostic Center for mentally retarded children.

Whereas, The Trustees of the Moody Foundation of Galveston, Texas, a Foundation created for the perpetual benefit of Texans by William L. Moody, Jr., and wife, Libbie Shearn Moody, prominent citizens of this State, have seen fit to grant to the Board for Texas State Hospitals and Special Schools, the agency of this State charged with the control and management of schools for retarded persons, Two Hundred Twenty-Five Thousand Dollars (\$225,000); and

Whereas, These funds are to be used to finance costs of constructing and establishing a Regional Diagnostic and Evaluation Center for mentally retarded children at the Richmond State School; and

Whereas, It shall be the purpose of the Board for Texas State Hospitals and Special Schools, through such Regional Diagnostic and Evaluation Center, to improve and develop methods in the diagnosis, care, training and education of mentally retarded persons so that they shall as nearly as possible live useful, productive and happy lives, and to study, research, experiment and train professional persons in the causes of mental re-

tardation to the end that someday mankind can look forward to a better understanding and consequent reduction of the occurrence of this terrible condition; now, therefore, be it

Resolved, by the Senate of the State of Texas, the House of Representatives concurring, that this generous and needed contribution to a cause long neglected be acknowledged; that the members of this illustrious pioneer family and the Board of Trustees of the Foundation be commended for this compassionate act and that a copy of this Resolution be mailed to the Honorable Robert Moody, Chairman, Board of Trustees, The Moody Foundation, Galveston, Texas.

The resolution was read.

On motion of Senator Schwartz and by unanimous consent the resolution was considered immediately and was adopted.

Senate Resolution 36

Senator Word offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate, Mr. and Mrs. T. L. Warren of Fort Worth, Texas, mother-in-law and father-in-law of the Senator from Bosque; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Word by unanimous consent presented the guests to the Members of the Senate.

Senate Bill 64 Ordered Not Printed

On motion of Senator Krueger and by unanimous consent S. B. No. 64 was ordered not printed.

Senate Bill 85 on Second Reading

Senator Calhoun moved that Senate Rules 116, 13, and 38 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 85 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 85, A bill to be entitled "An Act providing for the annexation of common and/or independent school districts to certain Junior College Districts for Junior College purposes only, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 85 on Third Reading

Senator Calhoun moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 85 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

Senate Concurrent Resolution 14

Senator Hall offered the following resolution:

S. C. R. No. 14. Commending the Denison Public Library for gaining a National Award for excellence in Management and Service in the field of library science.

Whereas, the Denison Public Library, in the City of Denison and County of Grayson, under the direction of the Denison Public Library Board of Trustees and supervision of the head librarian and his staff, has gained national prominence for excellence in management, service to patrons, public support and plans for future development; and,

Whereas, the winning of the \$1,000 Dorothy Canfield Fisher Library Award, sponsored by the Book-of-the-Month Club, approved by the American Library Association, has brought additional honors to the State and residents of Denison; and,

Whereas, Texas is the only southwestern state to have had a national winner for four consecutive years; and,

Whereas, the Denison Public Library patrons, board of trustees, and staff have cooperated with Texas State Library in promoting the further extension of library services; and,

Whereas, the Denison Public Library organized in 1935 by a band of dedicated women and a benevolent

act of the family of the late W. B. Munson, is now serving more than 22,000 patrons who last year used more than 120,000 volumes; and,

Whereas, the \$1,000 award will be used for additional book resources to establish a Business and Industrial Service and to provide additional children's materials, and further serve the future development of the library resources and stimulate this and other libraries in its area to improve their services; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives of Texas concurring, that the residents of Denison and surrounding area be congratulated for their signal achievement that has thus come to them and Texas, and that a copy of this Resolution be forwarded by the Secretary of the Senate to the Chairman of the Denison Public Library Board of Trustees for presentation at the special awards ceremony to be held in Denison during Library Week in Texas, Sunday, April 25, 1965.

The resolution was read.

On motion of Senator Hall and by unanimous consent the resolution was considered immediately and was adopted.

Presentation of Guests

Senator Herring by unanimous consent presented Mr. and Mrs. Kenneth Sparks, the mother-in-law and father-in-law of President Pro Tempore Creighton, to the Members of the Senate.

Co-Author of Senate Bill 4

On motion of Senator Aikin and by unanimous consent Senator Patman will be shown as a co-author of S. B. No. 4.

At Ease

On motion of Senator Aikin the Senate at 11:25 o'clock a.m. agreed to stand At Ease Subject to the Joint Session to inaugurate the Governor and the Lieutenant Governor.

Motion to Adjourn

On motion of Senator Aikin and by unanimous consent the Senate then agreed to stand adjourned at the conclusion of the Joint Session for the Inauguration of the Governor and the Lieutenant Governor until 10:30 o'clock a.m. tomorrow.

Joint Session

(To inaugurate the Governor and Lieutenant Governor.)

The Senate met at 12:00 o'clock noon in Joint Session with the House of Representatives in the space reserved for the Legislature adjacent to the platform erected at the south entrance of the Capitol for the inauguration of the Governor and the Lieutenant Governor.

Governor-elect John Connally and Mrs. Connally, sons John Connally, Mark Connally and daughter Sharon Connally. Lieutenant Governor-elect Preston Smith and Mrs. Smith, daughter Jan Smith and son Mickey Smith. Senator Tom Creighton, President Pro Tempore of the Senate, and Mrs. Creighton, Speaker of the House Ben Barnes and Mrs. Barnes, Chief Justice Robert W. Calvert, the Reverend Dr. Edmund Heinsohn, the Reverend Dr. Mark B. Williams and Brigadier General Thomas S. Bishop were escorted to the Platform by Senators Herring, Kazen, Creighton, Patman and Krueger on the part of the Senate and Representatives Cavness, Cain, Armstrong, Traeger, and Knapp on the part of the House with the Honor Guard of the Ross Volunteers of Texas A&M University standing at attention throughout the ceremonies.

The following guests of Governor-elect Connally and Lieutenant Governor-elect Preston Smith were seated at the rear of the platform:

Mrs. J. B. Connally, (mother), Mr. and Mrs. Merrill Connally, (brother), Mr. and Mrs. Wayne Connally (brother), Mr. Golfrey Connally, (brother), Mrs. Blanche Kline, (sister), and Mr. and Mrs. D. W. Hicks, (sister); and Miss Shirley Barrett, Mrs. C. M. Mitchell, (Governor Smith's Mother), Mr. and Mrs. Herman Freeman, Mr. and Mrs. C. W. Daniel, Mr. and Mrs. Charles Daniel, Mr. and Mrs. Sid Smith, Mr. and Mrs. Fred Parnell, Mr. and Mrs. Paul Burke, Mr. and Mrs. Alfred Smith, Mr. and Mrs. Alfred Smith, Jr. and two children, Mr. and Mrs. Ira Smith and two children, Mr. and Mrs. L. B. Smith, Mr. and Mrs. Vernon Smith, Mr. and Mrs. Howard Smith, Mr. and Mrs. Murphy Qualls, Mr. and Mrs. Frank Wood, Mrs. Martha Harrison, Mr. and Mrs. Johnson Smith, Mr. and Mrs. Robert Kelly, Mr. and Mrs. T. D. Parnell,

Mr. and Mrs. Albert McGuire, Mr. and Mrs. Perry McGuire, Mr. and Mrs. Gayle Bacon, Mr. and Mrs. Buckley Qualls, and Mr. Smith Allen Qualls.

The following members of the Consular Corps of Texas were also guests for the inauguration:

Consul General and Dean Yves Rodrigues, France; Consul General George Elliott, Belgium; Consul General Tung-Hua Chou, China; Consul Dr. Armando Velez, Colombia; Consul General Jorge Arrea, Costa Rica; Consul Bernhard Daugbjerg, Denmark; Consul B. E. Skinner, Ecuador; Consul Jose Trabanino, El Salvador; Consul Raymond Edmonds, Finland; Consul Dr. Ludwig A. Fabel, Germany;

Consul General Harry Lewty, Great Britain; Consul Dr. J. Reuben Sheeler, Haiti; Consul Mrs. Carmenza C. de Jeffress, Honduras; Consul Avshalon Caspi, Israel; Consul Hideho Tanaka, Japan; Consul Dr. Charles W. Pemberton, Liberia; Consul General Johannes Beekman, Netherlands; Consul Thorlief B. Jorgensen, Norway; Consul Dr. Martin Cattoni, Paraguay; Consul General Jorge Benzaquen, Peru; Consul Marcelino Fernandez Diaz, Spain; Consul General Tore C. H. Hoegstedt, Sweden.

Consul General Jose Ines Cano, San Antonio; Consul General Roberto S. Urrea, El Paso; Consul General Mario Romero Lopetegui, Laredo; Consul Victor Romero Lopetegui, Eagle Pass; Consul Rafael Linares, Austin; Consul Jorge Alcocer C., Corpus Christi; Consul Samuel M. Pereyra, Fort Worth; Consul Hector Rangel, Dallas.

Consul General Rafael Carrizo C., Panama, Corpus Christi; Consul Mrs. Colombia Perez de Arcia, Panama, San Antonio; Consul and Dean Javier F. Esteve, Chile and Paraguay; Consul Jacques Villere, Belgium; Consul Harold M. Young, Bolivia; Consul Mrs. Chas. Rekerdres, Costa Rica; Consul General Frederick M. Lange, Dominican Republic;

Consul Randolph Caldwell, El Salvador; Consul Dan C. Williams, Finland; Consul Gershon Canaan, Germany; Consul Roy M. Jenkins, Guatemala; Consul Dr. Phillip P. Rodriguez, Nicaragua; Consul Henry W. Dres, Panama.

The President Pro Tempore called the Senate to order and announced a quorum of the Senate present.

The Speaker, the Honorable Ben Barnes, then called the House of Representatives to order announced the purpose of the Joint Session and announced a quorum of the House present.

The Speaker then introduced the Reverend Edmund Heinsohn, Pastor Emeritus of University Methodist Church of Austin, who delivered the invocation as follows:

"Oh God, Who art the Hope of all the ends of the earth, remember us in love, and guide us by Thine infinite wisdom. With Thy spirit Thou hast brooded over chaos and brought forth order, with Thy spirit Thou hast brooded over the minds of men and brought forth government, and through the ballots of a free people Thou hast called forth men to head and administer the government of our State.

With Governor Connally and Lieutenant Governor Smith confronted with the need of knowing and doing both the will of the people and the will of God, we pray that Thou wouldst bless them with courage and strength in their difficult positions and that Thou wouldst help us the people to be wise enough to follow these two chosen leaders as they seek to know and do not only the will of the people, but above all as they seek to know and do Thy will.

This prayer we offer in the name of Him of Whom the prophet wrote: 'The government shall be upon His shoulder; and His name shall be called Wonderful, Counsellor, The Mighty God, The Everlasting Father, The Prince of Peace. Of the increase of his government and peace there shall be no end.' Amen."

The Speaker then announced that the Constitutional Oath of Office would be administered to Lieutenant Governor-elect Smith by the Chief Justice of the Supreme Court, Judge Robert W. Calvert.

Honorable Preston Smith then took the Constitutional Oath of Office and affixed thereto his signature, the oath being administered and the signature attested by Chief Justice Robert Calvert of the Supreme Court.

The Speaker then presented the Honorable Tom Creighton, President Pro Tempore of the Senate.

President Pro Tempore Creighton presented the Honorable Preston Smith, Lieutenant Governor of Texas who addressed the Joint Session as follows:

Mr. President Pro Tempore . . . Governor Connally . . . Mr. Speaker . . . Members of the 59th Legislature . . . distinguished officials and guests . . . my fellow Texans . . .

The Oath of Office I have just taken, or its equivalent, has been repeated by 33 other men in assuming the office of Lieutenant Governor of Texas. It is the same oath to which Members of the Legislature and other elected officers of the State must adhere.

To be individually meaningful, the terms of the oath must be applied to the responsibility being assumed.

In that light I have just promised to preside over the Senate to the best of my ability and sense of justice; to appoint its committees in the same spirit; to serve as acting chief executive when the Governor is out of the State, and to represent him and the State of Texas upon request.

I have promised to assume and carry out the increasingly insistent duties of the Lieutenant Governor's office between sessions, including chairmanship of the Legislative Council and the Legislative Budget Board.

These responsibilities, and any others explicit or implied for the office of Lieutenant Governor, I will discharge "to the best of my ability."

I have also sworn to "preserve, protect and defend" the Constitution and laws of the United States, as well as those of the State of Texas. This is not an oath lightly conceived or taken. It means to me exactly what it says. Even though I might not agree personally with all that transpires in Washington, D. C., the American system does not allow for divided loyalties as between the levels of our government.

It is my personal opinion, for instance, that the Supreme Court's extreme interpretation of the "Equal Protection of Law" clause can and will gravely harm our federal concept of divided powers. The example most apt at this moment is that of legislative reapportionment. I agree personally neither with the high court's interpretation nor its inherent right to apply that interpretation to the makeup of state legislatures.

The fact remains that the court has spoken, and there is no recourse

as far as the State Legislature is concerned. In conformity with our Oath of Office, we will uphold this decision as long as it stands. We will undertake the disagreeable job of legislative reapportionment as mature and as reasonable men and women, rather than as selfish, squabbling children—and we will accomplish it without the chaos and confusion which has been widely predicted.

Without dwelling upon the obvious intrusions of the federal government into matters of state and local concern, we will remember that great responsibilities still rest upon the State Government and upon its legal subdivisions.

The State's role as guardian and mediator in our daily lives has grown, rather than diminished, simply because the needs and demands of a rapidly rising population have outrun the expansion of federal government into strange new fields.

During the next 126 days we must work diligently, intelligently and reasonably to provide for:

- Conservation and the most beneficial uses of our natural resources, particularly fresh water.

- Education on a level higher than mere adequacy, creating opportunities for all Texas young people—not merely for an intellectual elite.

- Responsible budgeting of available revenues to avoid waste, and provision of additional revenues only if the demand is justifiable.

- Orderly and expeditious disposition of all other problems, large and small, brought by the Governor and the Members before this 59th Regular Session of the Texas Legislature.

The deliberate pace of careful consideration must not become the lag-gard gait of indecision or of obstruction. We do not have time to dilly-dally.

I believe that all who have taken the Oath of Office, as I have taken mine today, will faithfully execute the duties thereby assumed. The result will be a legislative session of which we can all be proud.

To that end I pledge my cooperation with the Governor, the Speaker of the House, the Members of the Legislature individually and collectively, and to the people of Texas.

Speaker Barnes announced that the Constitutional Oath of Office would next be administered to Governor Connally by Chief Justice Robert Calvert of the Supreme Court.

The Honorable John Connally then took the Constitutional Oath of Office and affixed thereto his signature, the oath being administered and the signature attested by Chief Justice Robert Calvert of the Supreme Court.

Speaker Barnes then presented His Excellency, the Honorable John Connally, Governor of the State of Texas, who delivered the following address:

My fellow Texans:

I accept with gratitude, with humility and with firm resolve the honor and trust bestowed by the oath I have taken.

This morning we closed a chapter of Texas history. This afternoon we begin another.

It is ours to write, but our children's to judge.

How well we succeed, or how badly we fail, rests with the breadth of our own vision, the length of our own imagination, the strength of our own character.

As Texans and Americans, we start our quest with advantages undreamed by peoples of other lands. The heritage of freedom is a golden thread unbroken for 180 years of our national life. We were molded not by kings and conquerors, but by the courage and toil of pioneers who saw the wilderness as a challenge, never a barrier.

Winston Churchill said: "Every nation or group of nations has its own tale to tell. Knowledge of the trials and struggle is necessary to all who would comprehend the problems, perils, challenges and opportunities which confront us today."

The trials and struggles of Texans of the past are known and remembered by each of us. Let their legacy comfort us when a burden grows too heavy, sustain us when peril confronts us, and inspire us to fulfill the opportunities which freedom and initiative have offered us.

Traditions are worthwhile only when they guide us more effectively in the present and direct us more intelligently in the future.

Our most cherished tradition is a free society where man can learn, can work, can go as far as his own capacity carries him and seek the goals of his own choosing.

In a free society, knowledge cannot be decreed; it must be sought. Opportunity cannot be assured; it must be

cultivated. Security cannot be given; it must be earned.

In this climate of freedom we have built a system of government necessary to the growth of the nation and the progress of the people. Civilized men create government to meet their needs, and its very role demands responsiveness to change. But when that government becomes so unwieldy, so inflexible that it fails to serve those who created it for their common good, it becomes a burdensome and negative force.

We live our lives sometimes haphazardly, sometimes by plan. While we live inevitably in the present, deep within us we have a purpose, and even more a faith, in the hereafter.

So it is in government. It continues day to day, sometimes by plan, sometimes by happenstance. But always in the mind of each of us there is a hope and there is a faith that this government will endure beyond us. All too often, however, we live governmentally day by day, limiting our vision scarcely beyond tomorrow and rarely if ever beyond the next election.

We do not do justice to our sacred trust if we as the momentary custodians of our precious government yield to these tendencies in our time.

Our dedication must transcend personal desire. Our determination must rise above personal ambition and fleeting popularity of the hour.

The highest order of public service demands vision unhampered by the narrow blindness of personal gain, strength to sustain in the face of partisan or unenlightened opposition, and faith that permits dreams of what might be, not what is.

Beyond that, it demands the courage to translate that vision into action: advocate and seek the changes which anticipate the needs and aspirations of a restless, surging, hopeful people enmeshed in an age and surrounded by circumstances from which only the most intelligent, the most daring and the most resolute will survive.

This philosophy must inspire our directions and give stimulus to our actions now and in the future.

Responsibilities must be reviewed in the light of what exists today, not what existed 40 or 50 years ago.

We have learned this truth in the foreign affairs of the nation. A generation ago we were secure in the knowledge that the British navy ruled

the seas and would keep the peace. We need not be involved. Today it is we Americans who are committed to the defense of freedom, from the DEW line in the Arctic wastes to the jungles of Vietnam.

By no logic must we assume that ANY government—national, state or local—can stand aloof from the turbulence and excitement and responsibility of a world transformed by spectacular change.

As we commit ourselves to the immense duties of world leadership, so must we commit ourselves to the compelling duties before us in our communities and in our state.

There are only two ways in which people have banded together to devise systems of self-government: by revolution or by evolution.

I am no revolutionist, but in the context of the time in which we live, evolution cannot mean centuries of time, because we live in a world compressed in time. We live in a day when man can outrace the sun and live in perpetual daylight. We live in a generation that has accumulated a greater wealth of scientific knowledge in its brief span than all previously obtained in the thousands of years of civilization behind us.

We want change for our personal happiness and enrichment. We expect changes in the industrial society in which we live. But in our system of government, which is a partner for better or for worse in whatever progress is made, we have had few changes—either in our concepts or our practices. This we cannot long abide. If government is to be a servant of the people, its institutions and its concepts and its practices most assuredly must change.

If we want strong and effective local government, we must exercise local responsibility.

If we want strong and effective state government, we must exercise state responsibility.

At no point in the 130 years of Texas history have we faced a sterner test of our integrity as a people. In one generation we have seen a new Texas imposed on the face of the old. It is a Texas which bursts with vitality—growing, exploring, seeking its place in the sun. It demands much, but it yields much more in return.

We are a people in transition, and in migration. The distance from the farm to the city grows shorter. Machines are replacing human hands.

Industry pleads for skilled workers while the unskilled go jobless in an era of plenty.

Knowing all of this, and anticipating that the old way of life will never return, we come to an hour of decision.

Do we have the integrity to act as we know we must act, or will we postpone the inevitable?

Do we respond to change as we know we must, or leave to our children the more difficult task of correcting our errors?

The oath I have taken today would be a mockery if I, as Governor of Texas, were satisfied to leave things as they are.

I did not seek this office to be custodian of outdated concepts.

If we who are the elected representatives of the people are afraid to innovate, afraid to open our minds, afraid to examine new ideas—then we will be suffocated by our own fears while the world moves on without us.

This administration and this Legislature have before us avenues of leadership which can bring untold riches to the life of our state.

We can create an educational system worthy of our greatness and second to none in America.

We can use education, the progenitor of change, to foster the minds and the skills for a more prosperous economy.

We can use our knowledge to alleviate the suffering of the ill and infirm.

We can, at last, devise the plans to assure water for our teeming cities, growing industries, and the farms and ranches which produce our food and fiber.

We can give new meaning to self-government and local solutions to local problems.

All of this, and more, will be ours if we have the courage to seek it.

Progress demands criticism. It demands dissatisfaction. It demands an inquisitive mind and a restless, relentless spirit.

On tomorrow I shall recommend many changes, and if I have apology to make to those I serve, it is only that in the retrospect of future generations I may not have reached far enough.

The only fear I have is not of the changes I shall recommend, but of what I may fail to recommend.

If you and I are to be harshly judged, it will be because we inherited

so much, planned so poorly, and left so little.

As we begin again, let our doctrine be the doctrine of faith—faith in our institutions, faith in our heritage, faith in the power of an Almighty God who rules nations as well as men, faith in our own resolve to seek the greater destiny for Texas.

The Speaker then presented Dr. Mark Williams of St. John's Methodist Church of Lubbock who delivered the benediction as follows:

Almighty God, our eternal Father, in whom we have our lives, and in whom our fathers trusted, and by whose providence Texas was founded, we bow before Thee.

Grant that these moments shall not have been a gesture of formality, but a hallowed experience for each citizen. By Thy grace may this time have been a renewal of our heritage, a proclamation of purpose, and a declaration of dedication.

We beseech Thy blessings upon the Governor, and the Lieutenant Governor at this crucial period in the life of our State. Give them all possible power to faithfully perform their duties.

Give to them good health. Keep them from harm. Provide them with judgment for the decisions they must make.

Let us not be frightened by the problems that confront us, but rather we give Thee thanks for having called these courageous men at this time, who will match us with this hour.

May all of us come often into Thy presence, asking for Thy guidance and Thy strength.

We commend these our officials to Thy loving care and Thy directing hand.

Through Jesus Christ, our Lord.
Amen.

The Speaker then announced that The University of Texas Band would play "The Eyes of Texas" and "Texas Our Texas."

At the conclusion of the renditions by the band, the President Pro Tempore announced that the purpose of the Joint Session having been concluded, the Senate at 12:32 o'clock p.m., would stand adjourned until 10:30 o'clock a.m. tomorrow on motion previously adopted by the Senate.

Welcome Resolutions

S. R. No. 24—By Senator Moore: Extending welcome to 7th and 8th Grade students of the Immanuel Lutheran School of Giddings, Texas.

S. R. No. 25—By Senator Aikin: Extending welcome to Judge and Mrs. Grover Sellers of Sulphur Springs, Texas.

S. R. No. 26—By Senator Aikin: Extending welcome to Judge O. L. Bridges and Mr. Bennett Mosley of Cooper, Texas and Mr. and Mrs. Dale Stockton of Enloe, Texas.

S. R. No. 27—By Senator Snelson: Extending welcome to Mr. and Mrs. Roy Elsner of Odessa, Texas.

S. R. No. 28—By Senator Dies: Extending welcome to Mr. and Mrs. Fred Ellis, Jr., and Mr. and Mrs. Elwyn Jones of Lufkin.

S. R. No. 29—By Senator Dies: Extending welcome to Ms. Suzanne Stubblefield et al.

S. R. No. 30—By Senator Krueger: Extending welcome to the Honorable Reese Lockett, Mayor of Brenham, and Ben Blanton, publisher of the Banner-Press of Brenham.

S. R. No. 32—By Senators Creighton and Snelson: Extending welcome to the Reverend David W. Yates of Mineral Wells, The Reverend Jack Meyer of Graford, et al. in behalf of the Optimist Club of Mineral Wells.

S. R. No. 33—By Senator Snelson: Extending welcome to the Honorable F. H. Ryan, County Judge of Reeves County, and his granddaughter, Laura Jenkinson.

S. R. No. 34—By Senator Dies: Extending welcome to Dr. B. H. McVicker, et al.

S. R. No. 35—By Senators Word and Aikin: Extending welcome to Mr. and Mrs. Chas. Neblett, Mrs. H. J. Neblett of Stephenville, and Mr. and Mrs. J. R. Clark of Clarksville.

S. R. No. 37—By Senator Word: Extending welcome to the Reverend and Mrs. James E. Shuler of Cleburne.

S. R. No. 38—By Senator Harrington: Extending welcome to Miss Marsha Tanner of Beaumont.

S. R. No. 39—By Senator Harrington:

Extending welcome to Sam Tanner of Beaumont.

S. R. No. 40—By Senator Harrington: Extending welcome to Mayor Lloyd Hayes of Port Arthur.

S. R. No. 41—By Senator Word: Extending welcome to W. B. "Cotton" Dorman and Jesse L. Gandy of Meridian.

S. R. No. 42—By Senator Watson: Extending welcome to Capt. Clint Peoples, et al. of Waco.

S. R. No. 43—By Senator Hall: Extending welcome to Mr. and Mrs. D. L. Hairston of Rockwall.

S. R. No. 44—By Senator Hall: Extending welcome to Henry Joe Fletcher of Bonham, et al.

SEVENTH DAY

(January 27, 1965)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday was dispensed with and the Journal was approved.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
January 27, 1965.

Hon. Preston Smith, President of the Senate: